

Appl. No. 10/692,474
Amdt. dated March 11, 2005
Reply to Office Action of 12/16/04

PATENT

REMARKS/ARGUMENTS

Claims 1-62 are pending in the application. Claims 1-62 stand rejected by the Office Action of December 16, 2004. Applicants respectfully request reexamination and reconsideration of all pending claims.

Rejections under 35 U.S.C. 102 (e)

Claims 1-62 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,730,064, issued to Ragheb et al. (hereinafter "Ragheb"). Claims 51-62 are additionally rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,805,898, issued to Wu et al. (hereinafter "Wu"). Applicants respectfully traverse these rejections.

Each of the independent claims of the present application (claims 1, 17, 31, 40 and 51) requires "at least one zinc-containing component." As is discussed several times in the present application, as in paragraphs [0006] and [0007], zinc may have one or more beneficial effects in treating vascular disease. Neither Ragheb nor Wu, however, describes, teaches or suggests the use of zinc or a zinc-containing component. In fact, the word "zinc" is never used in either Ragheb or Wu. Therefore, neither Ragheb nor Wu disclose each and every element of any of the independent claims of the present application, and neither patent anticipates those claims. Therefore, Applicants respectfully submit that independent claims 1, 17, 31, 40 and 51, as well as the claims that depend variously therefrom, are in condition for allowance, and Applicants thus request withdrawal of the rejections of claims 1-62 under 35 U.S.C. § 102(e).

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

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Respectfully submitted,



Scott M. Smith
Reg. No. 48,268

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
Attachments
SMS:snb
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